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Agenda item 4

OUTCOME OF THE CONFERENCE: DRAFT STATEMENT OF PRINCIPLES AND COMMITMENTS AND GLOBAL PLAN OF ACTION

B. Adequate shelter for all (paras. 66-75)

(Section IV (Global Plan of Action: Strategies for Implementation), of the draft Habitat agenda)

Text submitted by Working Group II on the basis of negotiations held on document A/CONF.165/PC.3/4

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66. To ensure the equitable provision of basic infrastructure and service delivery systems, Governments at the appropriate levels, including local authorities, should:

(a) Work with all stakeholders in providing serviced land and in allocating adequate space for basic services as well as for recreational and open space in the development of new schemes and the upgrading of existing ones;

(b) Involve local communities, particularly women and persons with disabilities, in decision-making and in setting priorities for the provision of services;

(c) Involve, encourage and assist, as appropriate, local communities, particularly women and persons with disabilities, in setting standards for community facilities and in the operation and maintenance of those facilities;

(d) Support the efforts of academic and professional groups in analysing the need for infrastructure and services at the community level;

(e) Facilitate the mobilization of funds from all stakeholders, especially the private sector, for increased investment;

(f) Establish support mechanisms to enable people living in poverty and the disadvantaged to have access to basic infrastructure and services;

(g) Promote dialogue among all stakeholders to help provide basic services and infrastructure.

67. To ensure the efficiency of infrastructure and the provision of services and their operation and maintenance practices, Governments at the appropriate levels, including local authorities, should:

(a) Create mechanisms to promote autonomous, transparent and accountable management of services at the local level;

(b) Create an enabling environment to encourage the private sector to participate also in the efficient and competitive management and delivery of basic services;

(c) Promote the application of appropriate and environmentally sound technologies for infrastructure and delivery of services on a cost-effective basis;

(d) Promote partnerships with the private sector and with non-profit organizations for the management and delivery of services and, where necessary, improve the regulatory capacity of the public sector and apply pricing policies that ensure economic sustainability and efficient use of services as well as equal access to them by all social groups;

(e) Where appropriate and feasible, establish partnerships with community groups for the construction, operation and maintenance of infrastructure and services.

(e) Improving planning, design, construction, maintenance and rehabilitation

68. With rapid urbanization, population growth and industrialization, the skills, materials and financing for the planning, design, construction, maintenance, and rehabilitation of housing, infrastructure and other facilities are often not available or are of inferior quality. Public policy and private investment should, together, facilitate an adequate supply of cost-effective building materials construction technology and bridging finance to avoid the bottlenecks and distortions that inhibit the development of local and national economies. By improving the quality and reducing the cost of production, housing and other public structures will last longer, be better protected against disasters, and be affordable to low-income populations and accessible to persons with disabilities, which will provide a better living environment. The potential for job creation and other positive external socio-economic impact of the construction industry should be harnessed; its activity should be brought into harmony with the environment, and its contribution to overall economic growth should be exploited, all to the advantage of society at large. Institutional support should also be provided in the form of industrial standards and quality control, with particular attention to energy efficiency, health, accessibility, and consumer safety and protection.

68 bis. Meeting the actual needs of individuals, families and their communities cannot be achieved by looking at shelter in isolation. Provision of adequate social services and facilities, improving and rationalizing urban planning and shelter design to cope firmly with the actual needs of communities, as well as provision of technical and other relevant assistance to the inhabitants of unplanned settlements are essential for the improvement of living conditions.

Actions

69. To respond effectively to the requirements for appropriate planning, design, construction, maintenance, and rehabilitation of shelter, infrastructure and other facilities, Governments at the appropriate levels should;

(a) Encourage and support research and studies to promote and develop indigenous planning and design techniques, norms and standards to match with the actual needs of local communities;

(b) Encourage public participation in assessing real user needs, especially gender needs, as an integrated action of the planning and design process;

(c) Encourage the exchange of regional and international experience of best practices and facilitate the transfer of planning, design and construction techniques.

(d) [a] Strengthen the capacities of training institutions and non-governmental organizations to increase and diversify the supply of skilled work force in construction and promote apprenticeship training, particularly for women;

(e) [b] Make use of contracts with community-based organizations and, where applicable, the informal sector for the planning, design, construction, maintenance, and rehabilitation of housing and local services, especially in low-income settlements, with an emphasis on enhancing the participation and, thus, short and long-term gains of local communities;

(f) [c] Strengthen the capacity of both public and private sectors for infrastructure delivery through cost-effective, employment-intensive methods, where appropriate, thereby optimizing the impact on creation of employment;

(g) [c bis] Promote research, exchange of information and capacity-building on affordable and technically and environmentally sound building, maintenance and rehabilitation technologies;

(h) [d] Provide incentives for engineers, architects, planners, contractors, and their clients to design and build accessible energy-efficient structures and facilities by using locally available resources and to reduce energy consumption in buildings in use;

(i) [d bis] Provide training to professionals and practitioners in the construction and development sector to update their skills and knowledge in order to promote the development of shelter programmes that serve the interests and needs of women, persons with disabilities and disadvantaged groups and that ensure their participation at all stages of the shelter development process;

(j) [d ter] Adopt and ensure the enforcement of appropriate standards relating to planning, design, construction, maintenance, and rehabilitation;

(k) [e] Support private-sector initiatives to provide bridging loans to builders at reasonable interest rates;

(l) [f] Support professional groups in offering technical assistance in planning, design, construction, maintenance, rehabilitation, and management to community-based organizations, non-governmental organizations, and others engaged in self-help and community-based development;

(m) [g] Strengthen and make more transparent their regulatory and inspection systems;

(n) [h] Join with professional societies to review and revise building codes and regulations based on current standards of engineering, building and planning practices, local conditions and ease of administration, and adopt, as appropriate, performance standards;

(o) [i] Support non-governmental organizations and other groups to ensure the full [and equal] participation of women and persons with disabilities in the planning, design and construction of houses to suit their specific individual and family requirements.

70. To promote and support an adequate supply of locally produced, environmentally sound, affordable, and durable basic building materials,

Governments at the appropriate levels, in cooperation with all other stakeholders, should:

(a) Where appropriate, encourage and support the establishment and expansion of environmentally sound, small-scale local building materials industries and the expansion of their production and the commercialization of their production through, inter alia, legal and fiscal incentives, provision of credit, research and development, and information;

(b) As required, provide policies and guidelines to facilitate fair market competition for building materials with enhanced participation of local stakeholders and establish a public mechanism to enforce them;

(c) Promote information exchange and the flow of appropriate environmentally sound, affordable and accessible building technologies and facilitate the transfer of technology;

(d) With adequate attention to safety needs, reformulate and adopt building standards and by-laws, where appropriate, to promote and permit the use of low-cost building materials in housing schemes, as well as by using such materials in public construction works;

(e) Where appropriate, promote partnerships with the private sector and non-governmental organizations to create mechanisms for the commercial production and distribution of basic building materials for self-help construction programmes;

(f) Evaluate on a regular basis the progress made in the pursuit of the above objectives.

71. To enhance the local capacity for environmentally sound building materials production and construction techniques, Governments at the appropriate levels, including local authorities, in cooperation with all stakeholders, should:

(a) Intensify and support research efforts to find substitutes for or optimize the use of non-renewable resources, particularly fossil fuels, and to reducing their polluting effects and paying special attention to recycling, re-use of waste materials and increased reforestation;

(b) Encourage and promote the application of low-energy, environmentally sound and safe manufacturing technologies backed by appropriate norms and effective regulatory measures;

(c) Adopt mining and quarrying policies and practices that ensure minimum damage to the environment.

4. Vulnerable groups

72. Vulnerability is the inability to compete on an equal basis for resources and opportunities. Vulnerability is often caused by marginalization in and exclusion from the socio-economic mainstream and decision-making processes. If

vulnerability is to be reduced, there is a need to improve and ensure access by the various vulnerable groups to shelter, finance, infrastructure, basic social services, safety nets, and decision-making processes. [Depending on local conditions in the housing sector and the availability of legal protection guaranteeing equal access to resources and opportunities,] vulnerable groups include the poorest groups, some of the older persons, street children, youth, [documented] migrants, internally displaced persons, inhabitants of disadvantaged communities, people affected by natural and human-caused disasters, households headed by women, persons with disabilities and some indigenous people. With regard to shelter, members of vulnerable groups are especially at risk when they may have no security of tenure or where they lack basic services or face disproportionate environmental and health impacts, or because they may be excluded, either inadvertently or deliberately, from the housing market and services.

72 bis. Adequate shelter must be recognized as an important component of the particular care and assistance to which children and their families, as well as children living outside or without families, have a right. Special consideration must be given to the needs of children living in difficult circumstances.

72 ter. Because of a lack of shelter, the lives of refugees are often characterized by a loss of dignity and health. There is a need to strengthen the support for the international protection of and assistance to refugees, especially refugee women and refugee children who are particularly vulnerable.

Actions

73. To remove barriers and eradicate discrimination in the provision of shelter, Governments at the appropriate levels, including local authorities, should:

(a) Review and revise legal, fiscal and regulatory frameworks that act as barriers within the shelter sectors;

(a bis) Support, through legislation, incentives and other means, where appropriate, organizations of vulnerable and disadvantaged groups so that they may promote their interests and become involved in local and national economic, social and political decision-making;

(b) Establish laws and regulations aimed at preventing discrimination and barriers and, where such laws and regulations already exist, ensure their enforcement;

(c) Work with the private sector cooperatives and local communities and other stakeholders to raise the awareness of the need to eliminate prejudice and discrimination in housing transactions and provision of services;

(d) Consider becoming parties to the relevant United Nations system conventions that deal with specific and special needs of vulnerable groups, and particularly that pertaining to [documented] migrant workers;

(e) Promote systems of public transport that are affordable and accessible in order to enable a wider range of housing and jobs to be available to vulnerable groups;

(f) Provide vulnerable and disadvantaged groups with access to information and with opportunities to participate in the local decision-making process on community and shelter issues that will affect them;

(g) Provide increased coverage of water supply and sanitation services to ensure that vulnerable and disadvantaged groups have access to adequate quantities of safe water and to hygienic sanitation.

74. To provide for the shelter needs of vulnerable groups, Governments at the appropriate level, including local authorities, in cooperation with all stakeholders, as appropriate, should:

(a) Provide, where appropriate, targeted and transparent subsidies, social services and various types of safety nets to the most vulnerable groups;

(b) Work with the private and non-profit sectors and community-based organizations and other actors to provide adequate shelter for members of vulnerable groups, making special efforts to remove all physical constraints to the independent living of persons with disabilities and of older persons;

(c) Strive to provide special living facilities and shelter solutions for members of vulnerable groups, as appropriate, such as shelters for women subjected to violence or shared living arrangements for persons with mental or physical disabilities;

(d) Provide an environment that enables vulnerable groups to participate in the social, economic and political life of their community and country.

75. To reduce vulnerability, Governments at the appropriate levels including local authorities, should:

(a) Work with non-governmental organizations and community-based organizations to assist members of vulnerable groups to obtain secure tenure;

(b) [Protect by law all people from illegal evictions, including dismantling of rent-control systems, and, where evictions are unavoidable, ensure that they are strictly according to the law];

(b bis) [Protect all people from forced evictions that violate human rights and adopt adequate regulatory policies with regard to such evictions and, where evictions are unavoidable in the public interest, provide for alternative solutions];

(b ter) [Enact and enforce laws to protect people from illegal evictions];

(c) Promote and support self-help housing programmes and initiatives;

(d) Promote, where appropriate, compliance with and enforcement of all health and environmental laws, especially in low-income areas with vulnerable groups.

(d bis) Facilitate actions aimed at, inter alia, ensuring legal security of tenure, capacity-building, and improving access to credit, which, apart from subsidies and other financial instruments, can provide safety nets that reduce vulnerability;

(e) Pursue policies that will provide information to and consultation with vulnerable groups;

(f) Facilitate the availability of legal information and assistance to vulnerable groups;

(g) Promote the use of tools for disaster prevention, mitigation, and preparedness in order to reduce the vulnerability of populations to natural, man-made and technological disasters.